

Senate Study Bill 3040

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON McKIBBEN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to adopt federal standards for utility pole attachment
2 rates for municipal utilities.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5565SC 80
5 kk/sh/8

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1 1 Section 1. NEW SECTION. 388.11 POLE ATTACHMENT RATES AND
1 2 CONDITIONS OF ACCESS.
1 3 A municipal utility shall not charge a rate greater than
1 4 one hundred fifty percent of the federal pole attachment
1 5 formula rate established by the federal communication
1 6 commission pursuant to 47 U.S.C. } 224, or require terms and
1 7 conditions that conflict with 47 U.S.C. } 224(d) through (i)
1 8 and any regulations adopted thereunder. However, if the
1 9 municipal utility directly competes with a privately owned
1 10 local exchange carrier, telecommunications operator, or cable
1 11 provider, the municipal utility shall not charge a rate
1 12 greater than the federal pole attachment formula rate.
1 13 EXPLANATION
1 14 This bill requires municipal utilities to charge not more
1 15 than one and one-half times the federally established formula
1 16 rate for the rental of the municipality's utility poles where
1 17 the municipal utility does not compete with a private local
1 18 exchange carrier, telecommunications operator, or cable
1 19 provider. If the municipal utility does compete with a
1 20 private carrier, operator, or provider, then the rate the
1 21 municipal utility may charge cannot exceed the federal formula
1 22 rate.
1 23 LSB 5565SC 80
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